

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 APPELLATE SIDE
 CIVIL APPLICATION NO.3001 OF 2006
 IN
 WRIT PETITION NO.6823 OF 2006
 PRAKASH MATHRADAS JAISINGH ... APPLICANT
 VS.
 MR. NARAYAN C. PERDAL & ANR. ... RESPONDENTS.

ALONGWITH
 CIVIL APPLICATION (ST)NO. 28258 OF 2006
 IN
 WRIT PETITION NO. 6823 OF 2006
 PRAKASH MATHRADAS JAISINGH ... APPLICANT
 VS.
 MR. NARAYAN C. PERDAL & ANR. ... RESPONDENTS.

MR. PRASAD WITH M/S. FENILA NAIR FOR THE APPLICANT
 AND MR. TARODIA WITH MS. KITEN FOR RESPONDENTS.

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CORAM : A.P.DESHPANDE, J.

DATE : February 8, 2007.

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P.C.

1. By the present Civil application No. 3001 of

2006, a prayer for condonation of delay of 9 days is made, in filing an application for restoration of the writ petition, which came to be dismissed for default. The reason put forth for absence of the Counsel for the applicant, on the date on which the petition came to be dismissed in default, is properly explained in the application. I am convinced with the reason for absence of the Counsel. Hence, the application is allowed. The impugned Order of dismissal of the petition in default is hereby quashed and set aside. Consequently, the Writ Petition is restored to file.

2. Civil Application No. 3001 of 2006 for condonation of delay in filing the application for restoration of writ petition and Civil application St. No. 28258 of 2006 for restoration of the petition to file are allowed.

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[A.P.DESHPANDE, J.]